

Date: Fri, 18 Jun 93 04:30:19 PDT
From: Ham-Policy Mailing List and Newsgroup <ham-policy@ucsd.edu>
Errors-To: Ham-Policy-Errors@UCSD.Edu
Reply-To: Ham-Policy@UCSD.Edu
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Subject: Ham-Policy Digest V93 #196
To: Ham-Policy

Ham-Policy Digest

Fri, 18 Jun 93

Volume 93 : Issue 196

Today's Topics:

Blind VE's
NQOI Case
NQOI Case: A Proposal for Action (3 msgs)
NQOI Loses Big PRB-1 Antenna Case (2 msgs)

Send Replies or notes for publication to: <Ham-Policy@UCSD.Edu>
Send subscription requests to: <Ham-Policy-REQUEST@UCSD.Edu>
Problems you can't solve otherwise to brian@ucsd.edu.

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We trust that readers are intelligent enough to realize that all text
herein consists of personal comments and does not represent the official
policies or positions of any party. Your mileage may vary. So there.

Date: 17 Jun 1993 22:35:42 -0500
From: elroy.jpl.nasa.gov!swrinde!cs.utexas.edu!geraldo.cc.utexas.edu!
doc.cc.utexas.edu!not-for-mail@ames.arpa
Subject: Blind VE's
To: ham-policy@ucsd.edu

Jim, W5GYJ writes:

>I wonder if a lot of this stuff about "proving" that blind hams can
>act as VE's comes from the amateur community having to "prove" that
>they could give exams with as much trustworthiness as an FCC 'droid,
>er, staffer, back when the VE program was proposed. And, seemingly,
>not being too convincing at it, since 1 FCC 'droid == 3 VE's.

This is a ***very*** interesting theory and the more I think about it, the more
sense it makes. If the FCC didn't trust ***anyone*** to Proctor exams initially,
why should they trust the blind with our alternative techniques? If this is
the case it would be consistent with past attitudes. Government officials
aren't immune to the same perceptions concerning the capabilities of the blind

as those which exist in the general public. The FCC ruling supports these perceptions, therefore it must have been based on them. But even if that's wrong, I'd say that the above theory is at least ~~a~~ basis for the current FCC policy.

>I think that amateurs, VE's, VEC's, etc. are being a bit
>hypersensitive about this whole issue. Darrell is right about the
>task of administering the test being not at all comparable with
>driving a car. The crucial question that must be answered is: "Is the
>test-giving process trustworthy?" The blind amateur posters maintain
>that it is, reasoning by similarity to the situation with blind
>teachers. However, Gary Coffman's point about the FCC bureaucracy
>having fits of literalism in rule interpretation is well taken. The
>VE program's trustworthiness could possibly be in jeopardy over
>an FCC Somebody's definition of the verb "to observe".

In my view the FCC's regulatory liberalism has cost the hobby much, and will cost us more in the future. I could talk about more than one issue here, but I'll stick to the one at hand. I'd say that we were better off when the Commission gave the tests. But if the VE program is going to exist it should include everyone, and those who become part of it should be qualified. I demand quality service, and that is what blind amateurs are asking to give.

>The problem will ultimately have to be worked. The amateur community
>will have to prove to the FCC that alternative exam-giving means used
>by whatever-impaired VE's do not degrade the integrity of the process.
>It must do this as part of its ongoing effort to make itself ever more
>inclusive. The FCC will have to recognize that it is under
>legislative mandate to open government processes to handicapped
>individuals. And the blind amateurs will have to be persistent in
>pressing their demands to be included and patient with their sighted
>brethren as we seek the same goals. Accommodations will have to be
>made all around.

We're not so rigid that we demand that people accept us because it's the nice thing to do. If we weren't qualified to Proctor exams we wouldn't ask to do it. But we feel that we should be given the chance to succeed or fail on our own merits, using our alternative techniques, which we've described in past articles.

I'll say again that I think that Gary (I think it was Gary who said this) is correct when he says that an Extra Class license is no proof of competence in exam Proctoring. So let's test ~~everyone~~ who wants to do it, keep those who can cut the mustard and give the rest the boot, sighted or blind.

>Jim, W5GYJ

73 to All!

--
David Milner | ***** | Amateur Radio Callsign N 5 R U L (R/R # 3)
(GeNie) D.MILNER | * Moo! * | (Internet) aggedor@ccwf.cc.utexas.edu
Austin, Tx. U.S.A.| ***** | I know who I am, and I will *NEVER* go back!
** Illegitimus Non Carborundum Est! (Don't let the bastards get you down!) **

Date: Fri, 18 Jun 1993 05:29:09 GMT
From: swrinde!cs.utexas.edu!asuvax!ennews!anasaz!misty!john@network.UCSD.EDU
Subject: NQOI Case
To: ham-policy@ucsd.edu

mgustoff@mstcsh.uucp (My Box) writes:

]Suggesting that technological advances will solve the
]problem is a wholly unfounded statement.

]Why? Well because technology advances are what got us
]to this unfortunate point. Technology advances gave us
]the Yagi Beam, etc. etc. and Towers for which to place
]them on.

Invalid argument on the face of it. Technology could also give us hyper-efficient superconducting magnetic antennae that are quite small - just as one example. It could also allow us to pool our resources and have remote operation of a dream station by a club of people who fund it.

]What's to say the next technological advance in
]"efficient radiators" isn't something that your
]neighbor takes even greater exception to, than a 3
]element yagi on a 50' tower.

What's to say that it is? Since antenna theory is not black magic, we can confidently make projections about progress in the area - the basic laws of physics in the area are well understood. These projections tell us that technical advances will produce smaller, not larger antennae. Even your own example shows that - the Yagi is certainly smaller than a rombic on a roundtable!

]Someone previously stated the root issue. LOSS OF OUR

]RIGHTS AS HUMANS. And that might best be described
]as politically motivated, and correction will take
]two things: POWER & MONEY, and if that doesn't work
]then we can always resort to asking the CIA for help,
]right?????????

No, we need to understand that rights are not absolute. They exist within the social matrix. Even the most extreme libertarian recognizes some form of restrictions (such as when your nose connects with my face). The challenge is to achieve a reasonable balance. There is no right to have an antenna! There are (arguably) rights to use your property as you see fit, but almost no one argues that there must be some limits. If you cover your lot with tire fires, I think that as a neighbor my rights are being infringed on.

Let's not get absolutist about this or no one will believe us - for good reason!

--
===== Mark Gustoff - W07T =====
|| |
===== mgustoff@arthur.intel.com =====
--
John Moore NJ7E, 7525 Clearwater Pkwy, Scottsdale, AZ 85253 (602-951-9326)
john@anasazi.com ncar!noao!asuvax!anasaz!john anasaz!john@asuvax.eas.asu.edu
- Democracy is two wolves and a sheep using majority vote to decide what -
- to have for dinner. SUPPORT THE BILL OF RIGHTS - INCLUDING THE 2nd! -

Date: 16 Jun 93 18:39:01 GMT
From: usc!howland.reston.ans.net!ux1.cso.uiuc.edu!uwm.edu!linac!att!att!bigtop!
drutx!druwa!n2ic@network.UCSD.EDU
Subject: NQOI Case: A Proposal for Action
To: ham-policy@ucsd.edu

I think that Dave, N5RUL's proposal of a coalition between those interests who depend upon antennas is an excellent, well thought out idea. It's really ashamed that the ARRL has very little interest in organizing efforts in this area. If they can spend vast sums of money fighting the FCC over the loss of 220 MHz. why don't they see this as an important issue ? If they can have a special fund raising campaign for modernizing 225 Main St., Newington , CT, why can't they have a special fund raising campaign for antenna rights ? Besides individual amateurs, you would think that Hy Gain, CushCraft, Rohn, US Tower, KLM, Kenwood, Yaesu and Icom would be willing to contribute.

Unfortunately, the ARRL's priorities are currently directed at getting

all the new [no code] Technicians to join the ARRL. Have you noticed that ARRL membership growth is lagging far behind amateur radio growth ?

I don't want to criticize what Dave, N5RUL has said, but I do need to clarify his statement:

"and NQOI should have checked for antenna restrictions before moving."

- 1) When NQOI moved in, there were no CC&R's in effect.
- 2) When NQOI moved in, the Boulder County zoning resolution SPECIFICALLY EXEMPTED antennas from the 35 foot height limit.

After NQOI applied for his tower, the County unilaterally interpreted the antenna height exemption as applying only to roof-mounted TV antennas. To cover their butts, they then enacted a 35 foot height limit and retroactively applied it to NQOI's application.

You have to understand that prior to 1986, when this NQOI thing got started (yes, it has taken 7 years to get to this point !!), Boulder County didn't even require a building permit for any size of tower. Let me give you a few examples of the antenna systems that went up prior to 1986, with no complaint whatsoever from the county:

1976: K0RF put up 5 towers ranging in height from 100 to 200 feet on 5 acres.
1981: N2IC put up a 75 foot tower on 1 acre.
1983: NQOI put up a 60 foot tower on 1 acre (his old QTH)
1984: N2IC put an additional 90 foot tower on 1 acre.
1984: NVOM put up a 90 foot tower on 1.5 acres.
1985: K0RF moves, puts up multiple tall towers on approximately 10 acres.

NQOI had every reason to believe that he would be able to put up a tall tower on 1.28 acres in 1986. Perhaps his only mistake was asking for a building permit, rather than just doing it !

Steve, N2IC/0

Date: Fri, 18 Jun 1993 05:25:33 GMT
From: swrinde!cs.utexas.edu!asuvax!ennews!anasaz!misty!john@network.UCSD.EDU
Subject: NQOI Case: A Proposal for Action
To: ham-policy@ucsd.edu

little@nuts2u.enet.dec.com (nuts2u::little) writes:

]john@anasazi.com (John R. Moore) writes:

]>little@nuts2u.enet.dec.com (nuts2u::little) writes:
]>
]>Well as one embroilled in such a fight, I can tell you that technology has
]>little to do with it. In my situation the biggest concerns are EMI and
]>aesthetics. Technology "may" be able to help the aesthetics, although
]>being an avid VHF/UHF DXer leaves me little hope that we're going to beat
]>
]>The solution (other than EMI) already exists: phased verticals. With
]>those, you already have the lowest takeoff angle. By building a decent

]True for the upper HF bands, but not for VHF/UHF or the lowest HF bands,
]unless a 60-120' vertical is considered unobtrusive. ;-) With the growth
Unless you are comparing with full length (not loaded) monobanders, this
is an invalid comment. All you have to do is put loading coils on the
verticals (and if you do it right, they are quite efficient).

]in technician class operators and the resulting growth in VHF/UHF weak signal
]activity, these restrictions are going to affect more and more hams. I've
]worked the world on the HF bands with the wire antennas in my attic, but I
]can barely hit the local DX Packetcluster with a 2 meter antenna in my attic.
]Height and large aperature antennas are a must for serious VHF/UHF work.
]If we want to encourage hams to use that spectrum, we need to make sure
]they *can* use it.

Well, I would point out that moon bounce requires enormous antennas. Are
we going to force all neighbors to tolerate 10 meter dishes?

In other words, if you want to do serious VHF/UHF weak signal work,
get a mountain top well away from other people! If nothing else, having
neighbors means having EMI on your weak signal bands.

We cannot reasonably expect to accomodate all modes of communication on all
bands with optimal antenna systems! It just isn't going to happen, and
it doesn't make sense for it too in all cases.

--
John Moore NJ7E, 7525 Clearwater Pkwy, Scottsdale, AZ 85253 (602-951-9326)
john@anasazi.com ncar!noao!asuvax!anasaz!john anasaz!john@asuvax.eas.asu.edu
"Modern liberals are the termites in the structure of our society."
John Moore

Date: Fri, 18 Jun 1993 12:35:04 GMT
From: pa.dec.com!nntp2.cxo.dec.com!nuts2u.enet.dec.com!little@decwrl.dec.com
Subject: NQOI Case: A Proposal for Action

To: ham-policy@ucsd.edu

paulf@umunhum.stanford.edu (Paul Flaherty) writes:

>In article <1993Jun17.175703.4518@nntp2.cxo.dec.com> little@nuts2u.enet.dec.com
(nuts2u::little) w>>True for the upper HF bands, but not for VHF/UHF or the lowest
HF bands,
>>unless a 60-120' vertical is considered unobtrusive. ;-)
>
>Only slightly true for VHF/UHF (tropo). As for the lowest bands, most of
>the commercial MF and LF comm stations use toploaded physically small
>verticals.

Come on Paul, get serious. True tropo is not that common as compared to normal forward scatter which requires height and gain. In any case, suggesting that the height of a weak signal VHF/UHF antenna is not of paramount importance is utter nonsense. The ability to hear weak terrestrial signals is almost directly proportional to one's antenna height. There are many well equipped VHF/UHF stations in the Chicago area and those with antennas in the 60-100' HAAT range hear far more signals than those of us at the 30' HAAT level. With similar or identical antennas and comparable stations, they'll be getting 59 reports on signals many of us can't hear.

When conditions are good, you're right, height isn't real important. But for the other 99.9% of the time height is crucial.

73,
Todd
N9MWB

Date: Wed, 16 Jun 1993 18:01:20 GMT
From: olivea!inews!sousa.intel.com!jreece@uunet.uu.net
Subject: NQOI Loses Big PRB-1 Antenna Case
To: ham-policy@ucsd.edu

raichel@HAN.Paramax.COM (Alan J. Raichel) writes:
> re: Restrictive covenants - telling what you can an cannot do with your
> property and the effect on amateur radio.

You guys think the zoning in Boulder is tough?

In my home town of Saratoga, CA - a ritzy Silicon Valley bedroom - a local church embarked on steeple remodel. After the new steeple, sans cross, was finished, it was found that it exceeded the maximum permissible height limit.

The church applied for a variance to put a cross on top of the steeple
as in the original steeple.

The neighbors fought it.

The church lost.

--
John Reece "This lifeboat is full"
KD6RXL
Not an Intel spokesman

Date: Fri, 18 Jun 1993 12:34:55 GMT
From: pa.dec.com!nntpd2.cxo.dec.com!nuts2u.enet.dec.com!little@decwrl.dec.com
Subject: NQOI Loses Big PRB-1 Antenna Case
To: ham-policy@ucsd.edu

john@anasazi.com (John R. Moore) writes:

>little@nuts2u.enet.dec.com (nuts2u::little) writes:
>
>]If Chris Imlay and the rest of the legal consultants at the ARRL can't find
>some "ideal" cases to try, then something is amiss. I hear time and time
>again about what cases are *not* "ideal", so someone must have an idea of
>what *is* "ideal". Lawyers get paid to figure out what cases are worth
>trying and make good case law. The more case law that gets on the books at
>this date over questionable cases, the more the rest of us have to "undo".
>I don't know enough about NQOI to tell whether that was a good case or not,
>but the recent ruling is certainly going to hurt a great many of us.
>
>The fact that they don't FUND the cases doesn't mean they are worthless.

Say what? How did my suggestion that the ARRL take a more aggressive stance
on antenna restrictions turn into suggesting that they are worthless? I
know exactly what they're doing, I just wish they'd tackle some exemplary
cases. Besides, if *they* don't have the funds, John Q. Amateur certainly
doesn't have the funds!

>I suspect that another reason they don't fund the cases is that they KNOW
>that there is no strong case to be made for amateurs, except in extreme

Are you suggesting that the amateur service isn't worth protecting or have
sufficient value to fight antenna restrictions?

>situations (and the NQOI case doesn't fit that - it doesn't even

>come close!). I don't believe that there is a federal court in the
>land that is going to rule that PRB-1 allows someone to put up 100 foot
>antennae in scenic areas. Thus money spent in such cases is simply
>thrown away.

Get your facts straight. That "scenic vista" was already marred with high tension power lines and supporting towers. I would hazard a guess that NQOI's antenna wouldn't have been noticed amongst all the other aluminum and steel dotting the skyline.

>Finally, if these cases are that important, why should we ask the ARRL
>to fund it out of normal operating funds? Shouldn't the whole ham
>community chip in? How about the majority of hams who refuse to contribute
>to ARRL? Where were they?

The ARRL claims to represent the amateur radio service in the U.S. It's probably a reasonable claim as they have far more members than the next largest organization. If you can find a way to get all hams to fund it, fine! If you think this is a minor problem, then I think you are fortunate to live where you live.

>Experience has shown that the best solution is to preempt the problem by
>getting involved in local affairs BEFORE the problem arises. Here in
>Phoenix, they tried to put on an antenna ordinance (aimed at home satellites)
>that COULD have been adversely interpreted towards hams. We organized the
>hams (and a 2 meter repeater network can organize people in a way that
>amazes politicians and makes other special interest groups marvel)
>and stopped the ordinance. In fact, the result was that the city council
>ordered the zoning dude (a slippery snake, by the way) to sit down with
>me and come up with an ordinance "acceptable to hams." We did.

Good for you. Unfortunately there are village boards that feel they need to flex the muscles to show how important they are. In my village, the zoning board, village board, and village attorney are well aware of PRB-1, FCC regulations, etc. That doesn't stop them from taking the attitude "You don't like our ordinances? Sue us!" This same board wanted to fight the atheists over religious symbols in the village seal even though a neighboring village lost their case in front of the supreme court.

>danger. PRB-1 (so far) has guaranteed that you can put up a tolerable
>(if not optimal) antenna system. CC&R's stop you dead.

Only if you have the funds to fight it in court. A couple of good cases and perhaps some way of forcing flagrant violators to pay legal fees would change the situation dramatically. I'm sure I could fight my local village on the basis of PRB-1 and probably win in court. But this is a *hobby* for me, not something I'm willing to plow my family's savings into.

73,
Todd
N9MWB

Date: Fri, 18 Jun 1993 04:54:24 GMT
From: csus.edu!news.ucdavis.edu!othello.ucdavis.edu!ez006683@decwrl.dec.com
To: ham-policy@ucsd.edu

References <1993Jun16.221448.7234@leland.Stanford.EDU>, <C8r26L.My9@ucdavis.edu>, <1993Jun17.193838.4905@leland.Stanford.EDU>7
Subject : Re: NQOI Case: A Proposal for Action

Paul Flaherty (paulf@umunhum.stanford.edu) wrote:

: That problem only results if, in solving the root problem of building an
: effective radiator, you create something which violates a legal restriction.
Again, I don't buy that bit. If efficient radiator development was the
problem the law would say "minimum effective radiator for desired
communication" and that would be better (like minimum power) though full
of interpretive loopholes.

: Antenna restrictions are only part of the growing NIMBYisms in property
: law. It's unlikely that, as less than 1% of the population, we'll ever see
: an end to litigation, even if antenna restrictions were outlawed. We might
: be marginally more effective if we were to join efforts with other groups
: which are similarly threatened by this trend. Barring that, we need to spend
: more effort working within the restrictions.

I agree with the above. Saving ones ass does make strange bedfellows.

I'll see you at FD

Dan

--

* Daniel D. Todd Packet: KC6UUD@WA6RDH.#nocal.ca.usa *
* Internet: DDTODD@ucdavis.edu *
* Snail Mail: 1750 Hanover #102 *
* Davis CA 95616 *

* I do not speak for the University of California.... *
* and it sure as hell doesn't speak for me!! *

End of Ham-Policy Digest V93 #196
